THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8148 OF 2007

Dt: 26.04.2007

Between:

Immani Sriramachandra Murthy.

… Petitioner

and

District Registrar-cum-Competent Authority under Stamp Act and others

… Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8148 of 2007

ORDER:

The petitioner challenges the order, dated 13.03.2007, passed by the Revenue Divisional Officer, Kovvur, 2nd respondent herein, through which he impounded an agreement of sale, dated 05.09.1989. The document was referred by the Court of Senior Civil Judge, Kovvur, under the provisions of the Indian Stamp Act, 1899.

The grievance of the petitioner is that the 2nd respondent treated the document as a sale deed and levied the stamp duty and penalty, on that basis. Apart from that ground, it is urged that in view of the judgment, dated 13.09.2006, rendered by this Court in W.P.No.17945 of 2006, the 2nd respondent does not have the jurisdiction to impound the documents. This submission is not controverted by the learned Government Pleader for Revenue.

Following the same, the Writ Petition is allowed and the impugned order is set aside. It is left open to the trial Court to send the document to the District Registrar, for impounding. There shall be no order as to costs.

_____

L.NARASIMHA REDDY, J.

Dt.26.04.2007

GJ